FIRST ENGROSSMENT

Sixty-third Legislative Assembly of North Dakota

ENGROSSED SENATE BILL NO. 2319

Introduced by

Senators Grabinger, Armstrong, Axness

Representatives Oversen, Schatz, Toman

- 1 A BILL for an Act to amend and reenact section 19-03.4-03 of the North Dakota Century Code,
- 2 relating to drug paraphernalia; and to provide a penalty.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

4 SECTION 1. AMENDMENT. Section 19-03.4-03 of the North Dakota Century Code is

5 amended and reenacted as follows:

6 **19-03.4-03. Unlawful possession of drug paraphernalia - Penalty.**

- 7 1. A person may not use or possess with intent to use drug paraphernalia to plant,
- 8 propagate, cultivate, grow, harvest, manufacture, compound, convert, produce,
- 9 process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest,
- 10 inhale, or otherwise introduce into the human body a controlled substance in violation
- 11 of chapter 19-03.1. Any person violating this section is guilty of a class C felony if the-
- 12 drug paraphernalia is used, or possessed with intent to be used, to manufacture,
- 13 compound, convert, produce, process, prepare, test, inject, ingest, inhale, or analyze a
- 14 controlled substance, other than marijuana, classified in schedule I, II, or III of chapter-
- 15 19-03.1. Otherwise, a violation of this section is a class A misdemeanor.
- 16 <u>2.</u> <u>A person may not use or possess with the intent to use drug paraphernalia to</u>
- 17 <u>manufacture a controlled substance in violation of chapter 19-03.1. A person violating</u>
- 18 <u>this subsection is guilty of a class C felony.</u>